

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17339 of 2005

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Between:

Jaddu Mangathayaru and others.

.. Petitioners

and

The Mandal Revenue Officer and another.

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17339 of 2005

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ORDER:

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This writ petition is filed to declare notices issued by the first respondent in R.C.No.721/94 (b), directing the petitioners to vacate the land, which is in their possession, situated at Losarigutlapadu village, Bhimavaram Mandal, West Godavari District, as illegal and arbitrary.

It is the case of the petitioners that their predecessors were inducted into possession of small extents of land as tenants by the share-holder of the "Circars Agricultural Development Corporation Limited". The land in an extent of Ac.1500 including the said land was assigned by the Government to the said Corporation. Now, the petitioners are in possession and enjoyment of the same. While so, the Government of Andhra Pradesh issued G.O.Ms.No.466 Revenue (Assignment) Department dated 20.05.1994 cancelling the assignment in favour of the above said Corporation. Questioning the said G.O., the share-holders of the Corporation filed W.P.Nos.11128 and 11220 of 1994, which were disposed of on 28.06.2004. Subsequent to the orders in these writ petitions, the Revenue Officials conducted survey of the entire extent admeasuring Ac.1500 and prepared a list of 908 persons. By virtue of notice dated 10.02.2005, the Mandal Revenue Officer, Bhimavaram invited objections to the said list. Thereafter, the Mandal Revenue Officer issued the impugned notices directing the petitioners to vacate the land within 15 days. Hence, this writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The sole grievance of the petitioners is that the respondents are trying to evict them from the lands in question, without following the due process of law.

Having regard to the same, the writ petition is disposed of with a direction to the petitioners to make a representation before the respondents, within a period of two weeks from today, and the respondents shall consider the same and pass appropriate orders in accordance with law, within a period of 12 weeks thereafter. Till such time, the respondents are directed not to dispossess the petitioners from the lands in question, if they are in possession. There shall be no order as to costs.

08.08.2005

kdl

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